

BYLAWS

CHILDREN AND FAMILIES FIRST COMMISSION OF SANTA CLARA COUNTY

ARTICLE I **AUTHORITY, PURPOSE, STATUS AND POWERS**

Authority. These bylaws are adopted by the Children and Families First Commission ("Commission") to establish rules for its proceedings, as authorized by the provisions of Proposition 10 and in accordance with the California Health and Safety Code, Section 6, Article 3, of the California Revenue and Taxation Code (commencing with 30130) and Section A18-76 of Chapter V., of division A18 of the County of Santa Clara Ordinance Code. The Commission is a local public agency created by the Board of Supervisors of Santa Clara County.

Purpose. The Commission shall have the general purpose to promote, support and improve the early development of children from the prenatal stage through five years of age and their families throughout the entire county, through the creation and implementation of an integrated, comprehensive and collaborative system of information and services to enhance early childhood development pursuant to the California Children and Families First Act of 1998 ("The Act"), Health and Safety Code 130100.

Status. The Commission is a separate entity from the County. Obligations, acts, omissions or liabilities of the Commission shall be obligations, acts, omissions or liabilities solely of the Commission, and shall not directly or indirectly be obligations, acts, omissions or liabilities of the County or any officials, employees or agents of the County.

Powers and Duties. The following shall be duties of the Commission:

- A. To implement the goals and objectives of the Act.
- B. To administer the monies in the Santa Clara County Children and Families First Fund in accordance with the provisions of the Act, the strategic plan and the provisions of the ordinance.
- C. To adopt and complete a strategic plan in accordance with County Ordinance and State law.
- D. To periodically review its strategic plan and revise the plan as may be necessary and appropriate.
- E. To conduct required public hearings prior to adoption of:
 - a. Revisions to the Strategic Plan
 - b. The annual audit and report
 - c. Annual report of the State Commission
- F. To make periodic reports to the Children and Families Committee of the Board of Supervisors.
- G. To exercise all powers, duties, and functions as are prescribed by the Act, the County Ordinance, and the State Commission
- H. To develop and oversee the budget of the Commission.

ARTICLE II **MEMBERSHIP**

Composition. The Commission shall be composed of nine (9) Members appointed by the Board of Supervisors. The Members are as follows:

- A. Permanent Members
- B. One (1) Member of the Board of Supervisors who shall be selected at the beginning of each calendar year by the Chairperson of the Board of Supervisors.

- C. The Executive Director of the Santa Clara Valley Health and Hospital System or his or her other designee.
- D. The Director of the Social Services Agency or his or her designee.
- E. Members appointed by the Board of Supervisors:
 - a. One (1) Member who shall be nominated by the Santa Clara County Local Child Care Planning Council and who shall be a Member of the Santa Clara Local Planning Council.
 - b. Five (5) Members, with each Member of the Board of Supervisors allocated one (1) appointment from the following groups, with the intent that representatives from as many groups as possible will serve on the Commission.
 - 1. Recipients of project services as set forth in the Strategic Plan;
 - 2. Educators specializing in early childhood development;
 - 3. Representatives of a local group for prevention or early intervention for families at risk;
 - 4. Representatives of the local school districts;
 - 5. Representatives of community based organizations that have a goal of promoting nurturing, and early childhood development;
 - 6. Representatives of local medical, pediatric or obstetric associations or societies.

Term of Appointment.

- A. Permanent Members, other than the Member of the Board of Supervisors, shall serve until they vacate their County positions.
- B. The remaining Members shall have a term of two years and until a successor is appointed, except the term of the first appointees shall be staggered so that three Members have a one year term, and the remaining three Members have a two year term. The length of each Member's initial term is to be decided by lots drawn at the first meeting of the Commission. Members appointed by the Board of Supervisors shall serve at the pleasure of the Board of Supervisors.

Ex-officio Members. The Commission may appoint non-voting, ex-officio Members, as they deem appropriate to assist the Commission in fulfilling their responsibilities. Such Members shall serve for a term of two (2) years, at the pleasure of the Commission.

Resignation. Any Commission Member may resign at any time by giving written notice of such resignation to the Chairperson of the Commission. Such resignation shall take effect at the time specified in the notice and shall be accepted by the Commission. The Commission shall notify the Board of Supervisors when a resignation occurs.

Removal. A Commission Member may be removed for the following reasons:

- A. The Commission Member fails to meet the qualifications as a Commission Member.
- B. The Commission Member fails to attend three (3) consecutive regular meetings of the commission.
- C. The Commission Member fails during any twelve (12) month period to attend a minimum of 50% of the regular and special meetings of the Commission or meetings of the Committees of which the Commission Member is a Member.
- D. The Commission Member fails to discharge legal obligations as a Member of a public entity.
- E. The Commission Member is convicted of a crime involving a felony or corruption.

Vacancies. Any vacancy on the Commission shall be filled by the Board of Supervisors for the remainder of the term in accordance with, and in the same manner as, regular appointments. A Member appointed to fill the remainder of a term of more than one year, shall be considered to be serving a full term.

Reimbursement of Expenses. The Members of the Commission appointed by the Board of Supervisors shall not be compensated for their services as Members of the Commission, but shall be reimbursed a per diem and reimbursement of reasonable expenses for attending meetings and discharging other official responsibilities pursuant to the Commission's adopted policy.

ARTICLE III **OFFICERS**

Designation. The Officers of the Commission shall be:

- A. A Chairperson, who shall be a Commission Member, and who shall preside at all meeting of the Commission.
- B. A Vice-Chairperson, who shall be a Commission Member, and who in the Chairperson's absence, or inability to act, shall preside at the meetings of the Commission.
- C. If both the Chairperson and Vice-Chairperson are absent or unable to act, the Commission Members present shall by resolution select one of the Commission Members present to act as chairperson pro tempore, who, while so acting, shall have all of the authority of the Chairperson.

Election. The Commission, at its first meeting of the calendar year, or as soon thereafter as possible, shall elect officers for two (2) year terms. The Chair and Vice-Chair may not serve more than two (2) consecutive terms in their positions. Election shall be by majority vote.

Vacancies. Any vacancy in any office shall be filled by a special election of the Commission at the next regular or special meeting.

ARTICLE IV **STAFFING**

Executive Director. The Commission shall select and employ an executive director who shall perform such duties as prescribed by the Commission and the developed job description. The executive director shall ensure that the Commission shall meet all duties prescribed by these bylaws, county ordinances, state mandates and the Strategic Plan.

Personnel. The Commission shall have approval over all positions requested by the Executive Director. The Executive Director shall hire, provide leadership and supervise all staff and consultants to ensure that the Commission's wishes and responsibilities are fulfilled.

ARTICLE V **MEETINGS**

Regular and Special Meetings. The Commission shall establish the date, time and place of regular meetings of the Commission annually. The Commission shall hold regular meetings during at least ten (10) months of each year. Special meetings may be held upon the call and discretion of the Chairperson. However, upon the request of any three (3) or more Commission Members, the chairperson shall call a special meeting. Special meetings shall be subject to the rules otherwise set forth in these bylaws.

Open and Public Meetings. All meetings shall be open and public and all persons shall be permitted to attend, except for closed sessions, as required and permitted by applicable law.

Quorum. A majority of five (5) out of nine (9) Commission Members must be present to constitute a quorum to initiate the transaction of business at any regular or special meeting of the Commission. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of Commission Members, provided that any action taken is approved pursuant to section 5.4.

Voting. Except as otherwise provided by these bylaws, all official acts of the Commission shall require the affirmative vote of a majority of the Commission Members present and voting as long as all applicable quorum requirements have been met. No official act shall be approved with less than the affirmative vote of three (3) Commission Members.

Disqualification From Voting. A Commission Member shall be disqualified from voting on any matter relating to a transaction in which he or she has a financial interest, as required by law or by Conflict of Interest Code of the Commission.

ARTICLE VI

COMMITTEES OF THE COMMISSION

Bylaws Committee. The bylaws committee shall be composed of the chairs of the Commission's Standing Committees. The bylaws shall be approved by a majority vote of the Commission.

Additional Committees. The Commission may create and the Chair may appoint Members of the Commission to additional committees and subcommittees, as it deems necessary to carry out its purpose. A committee shall include three (3) Members.

Standing Committees. The following committees shall be standing committees of the Commission unless dissolved by a majority of the Commission Members. Each committee shall have a minimum of three appointed Members.

- A. **Personnel and Finance Committee:** The Committee shall review the annual budget regarding the administration of the Commission's business. The Committee shall review expenditures and contracts concerning the operation, administration and hiring of personnel. Recommendations shall be forwarded to the full Commission for approval.
- B. **Program Development and Communications Committee:** The committee shall consider proposals for new programs and activities monitor existing initiatives, and review program expenditures and contracts. The Committee is responsible for reviewing the public relations plan for the Commission, and monitoring civic engagement efforts. The committee shall forward recommendations to the full commission for approval.
- C. **Evaluation Committee:** The Committee shall review the evaluation tools and processes, data gathering methodologies and findings, and specify reporting requirements. The Committee will monitor evaluation and outcome data reports. The Committee shall monitor the contract agencies providing evaluation and data collection/reporting services. The Committee shall forward recommendations to the full commission for approval.

Advisory Board. The Commission shall have an advisory board representative of the different disciplines listed below. Board Members shall be appointed by a majority of the commission and serve for a term of two (2) years.

- **Media:** Marketing/public relations
- **Financial Expertise:** Certified public accountant/accountant, financial investor/planner
- **Foundations:** Children and family focused organization
- **Parents:** Special needs, grandparent, teen parent, foster parent
- **Health Professional:** Public health, mental health, alcohol/drug, dentistry
- **Medical Professional:** Pediatrician, Obstetrician/Gynecologist, General Practitioner
- **Child Care Professional:** Home and or center-based provider
- **Business:** Chamber of Commerce, health insurance carrier
- **Non-Profit Organization:**
- **Faith Community:**
- **Education:** Community colleges or universities, elementary schools, Head Start
- **Arts Community:** Arts institutions, arts councils, arts activists
- **Service Organizations:** Kiwanis, YMCAs, Rotary Clubs, Elks

ARTICLE VII
CONFLICT OF INTEREST CODE

Adoption. The Commission shall adopt and may from time to time amend a Conflict of Interest Code for the Commission as required by applicable law.

Commission Members Statements. Each Commission Member shall file a statement disclosing reportable economic interests in accordance with the Political Reform Act of 1974 and the regulations of the Fair Political Practices Commission and the Commission's Conflict of Interest Code.